

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE
CENTRE GMBH and WEST PUBLISH-
ING CORP.,

Plaintiffs,

v.

No. 1:20-cv-613-SB

ROSS INTELLIGENCE INC.,

Defendant.

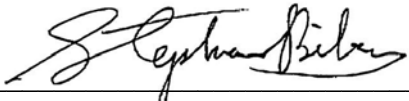
ORDER

For the reasons given in the accompanying opinion,

1. **I HOLD IN ABEYANCE IN PART AND DENY IN PART** Defendant's motion to exclude opinions and testimony of plaintiffs' expert Jonathan L. Krein. (D.I. 267). I hold for future consideration the motion to exclude opinions and testimony on substantial similarity. *See id.* at ¶ 1. But I deny the motion for all other opinions and testimony.
2. **I HOLD IN ABEYANCE IN PART AND DENY IN PART** Defendant's motion to exclude two opinions of plaintiffs' expert James Malackowski. (D.I. 273). I hold for future consideration the motion to exclude opinions and calculations on statutory damages under the Copyright Act. *See id.* at ¶ 1. But I deny the motion to exclude opinions on the market for artificial intelligence training data.
3. **I DENY** Plaintiffs' motion to exclude opinions and testimony of defendant's expert L. Karl Branting. (D.I. 258).
4. **I HOLD IN ABEYANCE** Plaintiffs' motion to exclude opinions and testimony of defendant's expert Barbara Frederiksen-Cross. (D.I. 260).
5. **I DENY** Plaintiffs' motion to exclude opinions and testimony of defendant's expert Richard Leiter. (D.I. 264).

6. I **HOLD IN ABEYANCE IN PART, DENY IN PART, AND GRANT IN PART** Plaintiffs' motion to exclude opinions and testimony of defendant's expert Alan Cox. (D.I. 262). I hold for future consideration the motion to exclude opinions on disgorgement and lost profits. I deny the motion to exclude opinions on market benefit. But I grant the motion to exclude opinions on the existence of a potential market for Westlaw Content as AI training data.

Dated: September 28, 2023


UNITED STATES CIRCUIT JUDGE